Guide for Undocumented Youth – English Version

To assist undocumented individuals in the U.S. plan and prepare for college

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Who is this guide intended for and why?

This guide provides information to assist undocumented individuals in the U.S plan and prepare for college in order to complete a four-year degree. This guide intends to empower youth through awareness and knowledge, hoping to reach not only undocumented youth but also their families in areas without (or with little) guidance, support, and/or resources.

It is strongly encouraged that undocumented students use this guide before beginning high school and early on in high school. Although this guide refers to ‘undocumented students,’ undocumented individuals who are not currently students may use this guide. Undocumented students who do not have outstanding academic records will also find this guide useful.

*Guardians/parents are strongly encouraged to use this guide,* and a Spanish version is included to ensure Spanish-speakers’ comprehension. *This guide should also be used by those (educators, mentors, advocates, etc.) who wish to and/or actively serve undocumented youth and families.*

Each individual’s situation is different. As a result, some parts are not relevant to each individual and his/her circumstances. However, *it is strongly recommended that you read the entire guide.* If a section is not relevant to you at the time, it may become relevant at a later time, provoke other pertinent questions that you have not thought about, and/or help you to be better prepared to help others. Also, there may be other significant factors that affect you and your plan of action for higher education that are not covered in this guide.

One of the goals of this guide is to provoke reflection and analysis, followed by appropriate action. However, the action required in response to this guide is much easier said than done. You may feel overwhelmed by the information and/or that it will be too hard to fulfill your dreams. *Do not be discouraged.* Focus on why you want to better yourself and on your dreams. This guide does not guarantee success, but it will maximize chances by serving as a source of motivation, knowledge, and guidance.

To provide the most updated and relevant information, this guide will be updated regularly. If you would like additional guidance with your situation and/or have any comments, suggestions, and/or questions to help improve this resource, please contact the author at latinostocollege@gmail.com or mireillevargas@gmail.com.

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1 Including individuals granted “Deferred Action.”
YOU

There are thousands of undocumented students in the U.S., so you are not alone. Nevertheless, living without legal immigration status is extremely demanding physically, emotionally, and mentally. Undocumented students need to have a lot of energy and focus to always work harder and longer (research higher education options, save money, etc.). Therefore, it is important to know yourself well, and deal with your limitations and weaknesses in a healthy way.

Do your best to stay physically, emotionally, and mentally healthy.

- Try to maintain a positive, can-do attitude.
- Engage in healthy activities and relationships that are encouraging.
  - Exercise, do kind things for others, write your feelings down, volunteer, etc.
- Regularly read and/or memorize inspirational quotes, stories, books, and/or Scripture.
  - In recent years, numerous undocumented students have shared their inspirational stories. You can find others’ stories in books, in the news, on organizations’ websites, etc.
- Strive to always work harder than everyone else in everything (academics, sports, extracurricular activities, house responsibilities, jobs, etc.).
  - Manage your time and resources wisely, and do not be wasteful and/or unproductive.
- Perhaps you will find it helpful to talk about how you feel with someone who knows about your situation.
  - Try to identify and convey your negative feelings (anger, resentment, bitterness, etc.) in a healthy way to those who support you emotionally.
- Think about what you are good at and focus on these strengths.
  - What is your disposition (individual qualities of mind and personality)?
- Put things into perspective.
  - Think about all the positive things and people in your life and how many people in the world are so much worse off than you.
- Fight for what you want—have the will and find the way that works for you to obtain your university degree and realize your dreams.
- Try to see the experiences of living undocumented as challenges and opportunities to grow and learn.
  - You can better succeed if you develop and possess positive, valuable qualities, such as being relentless, creative, tenacious, organized, resilient, passionate, etc.
- Choose to make your experiences/life a story that will positively impact future generations of immigrants, Latinos, and Americans.
- Stay motivated, and do not lose sight of your goals.

Due to the numerous challenges undocumented youth face, depression can occur.

- There are ways to cope when the daily struggle seems to be the only thing that is real. **If you at any time need help, call the National Suicide Prevention Lifeline at 1-800-273-8255.**

Think about your short-term and long-term goals to plan accordingly.

- How much time do you have before you are supposed to graduate from high school/start college?
  - If you have already graduated from high school, how long has it been since you graduated, and what have you been doing with this time?
- Regardless of your current educational level, consider working, volunteering, interning, etc., as these activities will strengthen your college applications.

- Ask yourself, what are your academic and career dreams? If you are unsure, use available resources at your school and online (personality tests, career fairs, etc.) to help guide you.
  - Are you striving for a four-year/bachelor’s degree or also a post-graduate degree?
  - What profession suits you that you would like to pursue (lawyer, professor, engineer, doctor, accountant, counselor, scientist, etc.)?
  - What sector would you like to work in (private, public, business, nonprofit sector, etc.)?

- Some students have accomplished a number of different financial strategies to achieve their educational goals, including:
  - Working a part-time or full-time job(s), including time off from academics after high school graduation and/or when necessary to work two or three jobs to pay for your education.
  - Sharing your story, and trying to raise money.
  - Private funding from an individual, organization, etc. This option should be explored in a timely and professional manner.

- If you are truly determined to have a university degree, then giving up will not be an option for you.

YOUR HOME/FAMILY LIFE

Family can play an important role in your decision to go to college, in helping support you during college, and/or in adjusting your immigration status. Many undocumented students have acknowledged that college could not have been possible without the support of their parent(s)/guardian(s) and/or family who served as sources of strength.

What role will your home/family life have before and during your higher education? Who are your legal guardians/who do you live with?²

- If they are legally present in the U.S., what is their immigration status (visa-holder, resident, or citizen)?
  - If there is a pending process or guaranteed future plan to fix your legal status, how long will this take?
    - In the meantime, you should work, volunteer, intern, study, etc.
    - Factor in the implicit costs of waiting.
      - For example, suppose that a legal process that is supposed to take six months actually takes a couple of years, but you and your guardians decided that it would be best for you to do nothing while you wait. As a result, it looks like you did not use your time wisely to study, volunteer, etc. while you waited, and this may put you at a disadvantage when applying to institutions of higher education, especially in a highly competitive applicant pool.

² Hereafter, the terms “guardians” and “family” are used interchangeably to refer to your legal guardian(s).
What will be your status? Legal permanent resident or a visa (and what type)?
  o You may need to factor in the time it will take to establish legal residency for tuition purposes. Research your state of residence and postsecondary institutions to see if you will be required to have twelve consecutive months of residency under your legal status prior to the date your classes begin.

Are your legal caregivers physically, emotionally, and mentally healthy?
  • Do their actions, presence, direction, state of mind, etc. negatively affect your pursuit of higher education in any way? Do they have medical issues, addictions/verbs (alcohol, drugs, gambling, etc.), and/or are physically, verbally, and/or sexually abusive?
    – If they are a threat to your health and/or safety, you and/or they need to receive professional help. Until these issues receive the proper attention, it will most likely be extremely difficult for you to work towards getting a higher education.

Clearly communicate your strong desire to attend a university to whoever supports you financially, and make sure they understand your options.
  • If they say they want you to go to college, will their words translate into actions?
    – You will need to know as soon as possible a very good estimate of how much they will actually be able to contribute financially, if any.

To what extent will whoever is raising/supporting you provide financial and/or emotional support?
  • For whatever reason(s), if you do not have the support of your guardians and/or family, the entire process will probably be much harder. You may have to make some tough decisions regarding what is ultimately best for you and for your family as you balance their needs/expectations and your desires.

Have your guardians thought about or plan to change your place of residency? Would it be to a different city, county, and/or state in the U.S.?
  • Is this a wise move that would positively affect you and your plan to attend college?
    – Would you be moving to a relatively safe location with comparatively good schools and where there is not a history of and/or tough anti-authorized immigration laws that are pending or in effect?
  • If your guardians do not have any plans to move, discuss with them moving to a location in the U.S. where a higher education would be possible and/or more realistic to obtain.
    – Before doing this, be sure to thoroughly research the area and laws to ensure that the benefits of moving will ultimately outweigh the costs. Perhaps the most attractive and important factor will be in-state tuition, but there are stipulations that you have to meet, such as the number of years you attend a high school in that state.

If you have a sibling or siblings, do they live with you, and were they born in and/or are lawfully present in the U.S.?
  • If your siblings are lawfully present in the U.S., are they able and willing to work to help you?
    – If they are older and do not live with you and your guardians, can they contribute financially for your college education?
- If they are of working age and live with you and your guardians, they can help you indirectly by working to take care of their expenses, thereby freeing some of your guardians’ financial resources that can be applied to your higher education.
- If they are younger and/or cannot provide financial assistance and live with you and your guardians, they can help your family by ensuring that your guardians do not have to use resources for their higher education because they can apply for financial aid and scholarships.
  - If you have siblings who are undocumented, how old are they in relation to you, and how will this affect your plan to obtain your four-year degree?
  - Will your guardians help pay for their college before, during, or after you are in college?
  - Will your siblings work to help pay for your college, or will you work to help them get through college?

If you and/or your family members do not have a bank account, find out where you can open one so your savings will be safe.
  - Encourage your guardians and family to contribute to a college fund account, as every little bit helps.

If you and/or any of your family members have a driver’s license, how much time does each person have before his/her license expires and cannot be renewed?
  - If you and/or your family have vehicles, and your car insurance will be affected, see if there is a trustworthy individual who can help keep the vehicle(s) insured.
  - When it does expire or if none of you have a license, know what the laws and possible consequences are for driving without a license in the cities, counties, and states you are driving a vehicle.
    - Who will still risk driving? Will your family allow you to drive, or will you have to rely on someone else for transportation?
      - Is it possible for members of your family to coordinate driving you to all of your destinations on a daily basis, or are there other trustworthy individuals who could help you and/or your family with daily transportation?
  - Is there relatively safe, affordable, and reliable public transportation that you and your family can use? Keep in mind that this may cost you a lot of time, so use the time waiting for and on the public transportation wisely.
  - Consider other forms of transportation (bike, walk, moped, carpool, etc.) available to you.

Do you and/or your guardians have a relatively “stable” job or jobs? What is the realistic degree of stability?
  - Are you and your family aware of E-Verify and related laws that affect you and/or them?
    - E-verify is an Internet-based system that allows employers to determine their employees’ eligibility to work in the U.S. Alabama, Arizona, California, Colorado, Georgia, Mississippi, North Carolina, South Carolina, and Utah use E-verify in some capacity. For details, see [http://www.uscis.gov/portal/site/uscis](http://www.uscis.gov/portal/site/uscis).
  - If you have benefited from Deferred Action, know the requirements and rules regarding work authorization to make sure you can request employment authorization or an extension.
Whether or not you have benefited from Deferred Action, are you and/or your family aware of the perceived threat of deportation and trying to avoid it as much as possible? Have you and your family already dealt with or are dealing with the deportation process of a loved one?

- If you have not benefited from Deferred Action:
  - Driving without a license; working in an area with a history of ICE raids; working with unfriendly individual(s) who discover your legal status; living in a city, county, and/or state with hostile laws towards undocumented immigrants; etc. can increase the chances.
  - *Discuss how plans for your post-secondary education would change if you and/or a family member were deported.*
    - Is (s)he a significant income-earner? Will savings be used to try to stop the deportation and/or bring the deported person(s) back to the U.S.? Are you left to become the head of the household? Etc.

- If you have benefited from Deferred Action:
  - You still need to maintain a clean criminal record.
  - You cannot request Deferred Action for others, so your family is not protected.
  - Since the policy could be altered or terminated, your “protection” from deportation could change.
  - Since you disclosed your legal status to the government, there could be risks in the future.

To work closely together towards the same seemingly unattainable goals, clear and constant communication is crucial between you and those supporting/raising you. For good communication and maximum understanding, follow the same basic advice that applies to other contexts (i.e. not speaking when emotions are high, respecting each other’s feelings and opinions, etc.) when dealing with these delicate issues.

- If your family is supportive—whatever the extent and form of support that may be—try to use the many challenges of being undocumented to strengthen your bonds with them, especially since they are and will probably be your biggest supporters.

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**YOUR EDUCATION/ACADEMIC RECORD**

It will be extremely helpful to have an excellent academic record. If you do not, it will be more difficult to make a higher education a reality, since universities will examine your high school and, if applicable, community college transcripts. Your legal status is a significant barrier and stress factor, so try not to give yourself the added disadvantage of not being a competitive candidate. More often than not, the individual(s) reviewing your application (at a university, scholarship, internship, etc.) will not see your legal status, so you still have to stand out from other candidates. Also, individuals, particularly your guardians, who see proof that you are hardworking, intelligent, and dedicated will be more inclined to help and encourage you.
What do your academic records (official test scores, awards, grades, etc.) say about you and your desire to pursue a higher education? Do they accurately reflect your academic ability?

- If you have excelled academically, what have been your motivations?
  - Are you reaching your full potential by challenging yourself and always putting forth your best effort?
- If you have not excelled, what are the reasons for this?
  - What do you intend to do differently to ensure that you are a competitive, well-rounded student?

Do not do anything that you will later regret, especially in the area of academics.

- Do not drop out during K-12 for any reason (to work, take care of a family member, etc.)
  - No matter what your present situation is and/or the future holds for you (i.e. you do not think that you will be able to go to college, that it is pointless to finish high school, and/or that you cannot/do not want to continue your K-12 studies), a high school diploma is very important.
  - If proficiency in English is an issue, work hard and seek the appropriate help and resources to address this.
- Students have reported neglecting their studies for periods of time because of upsetting feelings due to their legal status. Eventually, they realize they have damaged their grade point average, which can further intensify the feelings of being overwhelmed and hopelessness.

Research the possibilities of earning college credits in high school and seize the opportunities. How many credits are possible, and how can you get them? Dual enrollment/early college program (to obtain two years of college that you do not have to pay for), Advanced Placement classes, etc.?

- College credits are extremely important, and it is particularly helpful to have obtained as many credits as possible, so get informed about your options at your high school and/or other high schools, apply in a timely manner, and work hard.

Even if you are able to do two years of college with a dual enrollment program, how will you realistically pay for the rest of your higher education?

- If there are available scholarships that do not require a legal status and that you qualify for, they will require extensive research and preparation to meet application requirements and deadlines. A good starting point is looking for resources on undocumented/ethnic-friendly organizations’ websites.
- Savings, private funding, fundraising, etc.
  - What can be done to earn and save as much money as possible? What sacrifices—that may not be easy but will be necessary—can be made?
    - Where is money being spent that could be reduced and/or eliminated (i.e. pet(s), eating out, being wasteful with utilities, etc.)?
    - Who can and will get a second or third job?
    - Is there anyone you truly trust that could loan you money as a favor (preferably without or very little interest) and that you could pay back?
    - As a last resort, could you get a loan that accumulates interest that you could realistically pay off?
Do not neglect other areas of student life, such as establishing connections with faculty and staff; volunteerism; involvement in sports, internships, extracurricular activities; etc.

- These activities and connections provide valuable experience that can help build your character and confidence, as well as help make you a well-rounded, competitive student.
- Due to the limitations of time, transportation, money, and related variables, be wise in your investments and involvements.

Know what the various steps are to apply to colleges (whether it is after high school or transferring from a community college).

- Preparing for and taking the ACT and/or SAT in advance to have high tests scores, choosing where to apply, touring campuses, getting letters of recommendation, sending transcripts, writing essays, paying application fees, meeting deadlines, etc.
- This process alone can be overwhelming, so make sure you are informed and prepared, and find someone who is knowledgeable to help guide you.

Is there anyone in your educational network who is your academic mentor or who you can approach to be a helpful, knowledgeable adviser?

- This does not mean that you have to let him/her know about your legal status; however, it will be rather difficult for him/her to effectively help you (if they are able and willing to) in your present and future endeavors if (s)he is not aware of the obstacles and your circumstances.
- If you decide to disclose your legal status with a mentor (teacher, school counselor, etc.) or any other individual, remember that that you cannot take back the information you have made known to him/her.
- Use good judgment and think about your decision thoroughly because there is a chance that (s)he does not respond in a way that you had hoped or expected, is pessimistic or discouraging, you feel like (s)he does not understand, and/or you wish you had not shared such sensitive information.
  - Will the benefits of sharing with this particular party far outweigh the risks and costs?
  - Could or would (s)he at any time use the information to harm you and/or your loved ones in any way, including telling others about your immigration status?
  - Will (s)he actually do something to help you, not just say that (s)he will?
  - What are you hoping to gain by sharing with him/her, and are you prepared to deal with the possibility that you may benefit very little or not at all by seeking his/her help?

- No matter the reaction and results, try to remain professional and courteous, so you do not portray a negative image of yourself as a person or as an undocumented individual.

- The National Immigrant Youth Alliance has “A guide to ‘coming out’ for undocumented youth” at http://theniya.org/comeout2012/ that may be helpful. Not only does it explain the different “levels” of disclosing your status and how you can do it, but you can also see stories of others that have made their legal status known.
  - Among others, DreamActivist (http://www.dreamactivist.org/) is a resource where you can send your story “to come out,” read others’ stories, find resourceful websites, etc.
  - Remember that the more people who know and the bolder your disclosure, there may be consequences in identifying yourself as undocumented. There have been various stories, including videos, in the news about arrests and/or deportations of undocumented youth who have publicly revealed their immigration status.
You will be better prepared if you do not overestimate time and/or expect issues to be resolved or eliminated with time.

- Do and/or have you, your guardians, and/or mentors express(ed) that “you have time” or that “there is plenty of time” before you begin your postsecondary education?
  - Many students and their supporters make the costly mistake of thinking that time is a favorable factor during their academic preparation. As a result, there is not a sense of urgency to save money, get informed about laws, make good grades, etc.
    - *It is never too early to start planning and preparing to make your higher education a reality.* Whether it is five years, one year, or months, you will be of college-age before you know it.
  - It may actually take you longer than is normally expected to obtain your degree. This is the reality for most undocumented students, so do not let this discourage you.

Many students and their supporters make the grave mistake of anticipating barriers and obstacles to be diminished and/or removed eventually by the government.

- Many undocumented immigrants feel hopeful after the Deferred Action policy in June 2012. However, it is only one step that leaves many issues unresolved, as it is *not* immunity, amnesty, a path to citizenship, or a permanent fix.
- There is still the possibility that a pathway to citizenship will be enacted, and the risks of anticipating this legislation vary depending on your circumstances, but there also exists the probability that conditions will worsen with time if harsher laws are enacted in your state and/or nationally.
- *Expecting the DREAM Act and/or related laws that provide a pathway to citizenship to pass should not be your plan of action.*
  - This is what undocumented students hope for, but it cannot be said with certainty that this will happen in the near future, considering that the DREAM Act was first introduced over ten years ago (in 2001) and still has not passed.
    - Even if the DREAM Act or a similar law was enacted, it probably will *not* be a solution to all of your problems. For example, the DREAM Act may *not* require states to charge in-state tuition or make you eligible for financial aid and/or scholarships, and/or it may require that you have a good academic record, so you would still have to try to do well in school and have the funds to pay for college.

Your academic record and educational preparation are significant aspects of working towards a higher education, so you cannot afford to neglect them. They help you develop and practice the work ethic, passion, motivation, skills, and knowledge necessary to apply to and succeed at a university.
YOUR SOCIAL LIFE/FRIENDS

Trying to form and maintain close relationships as an undocumented individual can be frustrating; therefore, a common, often unconscious, tendency is to avoid them. If you have shied away from forming close relationships because of your legal status, you can and should have friendships. It has been confirmed by professionals that having family and friends is very beneficial to one’s mental health.

Do you have good friends, or have you alienated yourself from wanting/being able to develop deep friendships?

- Though you may consider this aspect of your life trivial as you pursue your goals, having friends and fun helps you get through the long, draining process of seeking a higher education by providing brief rest from your burdens and work.
  - You make connections and build interpersonal skills that you will need during college and throughout your career.
  - Friends can be a good resource to learn basic information about a higher education, since they may have pursued it or be pursuing it also.
    - What institutions are they considering and why? What are the costs involved? What are they doing to be a competitive candidate? How do they feel about the college application process? Etc.
- Due to likely limitations of time, money, transportation, etc., make the most of the time you do have to form bonds with others (in-between classes, on the bus, during extracurricular activities, etc.).
  - Be creative about how you can spend time with friends. Perhaps they can visit your home, so you and/or your guardians do not have to spend unnecessary money going out and/or have to drive.

Developing and maintaining bonds with others is tricky when you may not trust everyone to share your legal status. Remember, you do not have to disclose your legal status to anyone if you are uncomfortable doing so.

It may be hard sometimes to not feel angry, bitter, etc. about others’ legal status or envy others who do not share your situation. If possible, try not to focus on these feelings because they will not positively affect you and your attitude regarding your legal situation and pursuit of a higher education.

- Try to be yourself around others. Pretending that you are “normal” and not undocumented is extremely tiresome, and it can also make you automatically pretend to be someone you are not to hide suspicion and cover up negative feelings.
  - Remember, “undocumented” is not your entire identity, although it may seem to be because your status alters your daily life and future aspirations.
Who do you consider your friends to be, and what are they like?

- How will your relationships with these individuals impact you as you pursue college? Will they have a positive influence, or will they distract and deter you? Do they possess admirable qualities that you can learn and use as you work towards a higher education?
- If you have friends who are undocumented, they may be able to help you with advice, information, etc. No matter their age, background, where they are in the process, etc., if they are knowledgeable about the process and willing to help, you should seek their assistance.

You can have a social life outside of your school/academic environment. You can be friends with neighbors, family members, church members, etc.

- Many undocumented students have acknowledged religious conviction as a source of strength, and churches have been recognized as strong Latino-based organizations, particularly in the Southeast region of the U.S.
  - Churches that are interested in meeting needs should be aware of and addressing issues of undocumented individuals in their congregations and communities, so they should provide comfort, safety, and/or support (emotional and/or spiritual).
  - If spirituality and church genuinely are or become an important part of your life, use the available connections to make friends, seek advice, fundraise, etc.

Do not let your legal status keep you from having friendships and fun.

YOUR LEGAL ENVIRONMENT

Your legal environment depends on where you reside in the country and what the current state and national laws are at the time. Your legal environment is probably one of the factors you can least control and where the barriers have a real effect in your life, so stay informed and be prepared to overcome them.

Stay informed about national news regarding undocumented immigrants.

- According to the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), and the United States Citizenship and Immigration Services (USCIS), the Deferred Action policy announced in June 2012 “is a discretionary determination to defer removal action of an individual as an act of prosecutorial discretion. Deferred action does not confer lawful status upon an individual.”¹ For more information and to stay updated, see ICE’s website, USCIS’s website, or DHS’s website.
  - If you have benefited from the Deferred Action policy, do not be unaware or misinformed about how it impacts you with regards to college preparation. You still need to know what is available and what is prohibited to you, so you can plan accordingly.

¹ http://www.ice.gov/about/offices/enforcement-removal-operations/publicadvocate/deferred-action-process.htm; http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac892436a7543f6d1a/?vgnextchannel=f2ef2f19470f7310VgnVC1M10000082ca60aRCRD&vgnextoid=92ef2f19470f7310VgnVC1M10000082ca60aRCRD; http://www.uscis.gov/portal/item.eb1d4c2a3e5b9ac892436a7543f6d1a/?vgnextchannel=f2ef2f19470f7310VgnVC1M10000082ca60aRCRD&vgnextoid=2ef2f19470f7310VgnVC1M10000082ca60aRCRD; http://www.uscis.gov/portal/item.eb1d4c2a3e5b9ac892436a7543f6d1a/?vgnextchannel=f2ef2f19470f7310VgnVC1M10000082ca60aRCRD&vgnextoid=2ef2f19470f7310VgnVC1M10000082ca60aRCRD.
What are the laws in your state regarding access to higher education, in-state tuition, and financial aid for undocumented students?

- Do you reside in a state that bans undocumented immigrants from higher education? In a state that allows in-state tuition to undocumented students?
- How much do you know about the laws? Is the information you believe to be true from trustworthy and knowledgeable sources?
  - Be sure to verify the knowledge you obtain (from personal research, one or more individuals, organizations, etc.) with more than one reliable source, so you are not misinformed and/or deceived.
- Although laws may seem explicit, they can actually be ambiguous and confusing; therefore, institutions of higher education may interpret and apply them differently. Do not hesitate to contact the appropriate person(s) (and you do not need to identify yourself) at colleges to ensure that your understanding and interpretation of the laws is the same as educators’ and administrators’ understanding.
- Are you fully informed? It is not improbable that there are contradictory laws and/or obscure stipulations, so make sure that your knowledge is thorough, complete, and the latest.

Within the context of your state laws and your situation, what is the smartest way that best suits you to make your university education possible?

- As is the case for most, is community college the most realistic option for you before transferring to a university?
- As previously mentioned, explore all of your options, including moving to a different state with sufficient time to ensure you meet the requirements for in-state tuition.
  - Would you alone make the move or with family members?
  - Do you have relatives in the favorable states that you could live with?

There are a lot of factors to research and sources to explore in order to understand the entire process of obtaining a university education and your legal environment.

- Do it in a way that is simple and efficient for you.
- Do not let the time-consuming process overwhelm you.
- Keep a record of where you have looked, what it is you have looked at, and when you looked (even if what you found was not useful), so you know that you have already looked at it. Take notes of what information was stated, where, and by whom to make sure that your source is valid, accurate, and updated.
- Not everything you find will be helpful, so do not waste your time on material that you are certain will not be useful.
- Make sure you maximize your use out of each source.
  - For example, CollegeBoard has a guide on in-state tuition laws for undocumented students in states that allow them in-state tuition (http://media.collegeboard.com/digitalServices/pdf/diversity/Repository-Resources-Undocumented-Students_2012.pdf) and a page for professionals on advising undocumented students (http://professionals.collegeboard.com/guidance/financial-aid/undocumented-students).
    - If you live in a state that allows in-state tuition, or if you are contemplating all your options and are looking to move to another state, you can refer to this guide.
    - You and your guardians can refer to these CollegeBoard resources for basic, general information.
- You can refer these CollegeBoard resources to any other undocumented persons and/or any individual(s) you may choose to confide in.
- CollegeBoard has links to other useful resources and organizations that you should explore.

Have you considered the implicit costs and possible risks of not pursuing a university education and/or postponing it, hoping that your legal environment will become more favorable?
- For example, what if the DREAM Act is passed with provisions that you do not meet, such as requiring recipients to demonstrate continued academic endeavors and civic contributions in recent years, and you have neglected to do so?
- What does your future realistically look like without a university degree, and will you be happy with yourself and your life?

How willing to pursue college are you—knowing that when you finish, your legal environment and your legal status could still be unchanged?
- At that time, you still have options and resources. Educators for Fair Consideration has a comprehensive guide to help undocumented students with life after college (http://e4fc.org/images/E4FC_LifeAfterCollegeGuide.pdf).

STATE TUITION POLICIES

This section (followed by a chart) highlights states’ legal environment for undocumented students pursuing higher education to help determine their legal environment and options.

States that allow undocumented students to pay in-state tuition (despite the major argument that they take seats away from legal residents) if they meet the stipulations in that particular state:
- California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Rhode Island, Texas, Utah, and Washington.
  - Currently (in 2012), California, New Mexico, and Texas allow undocumented students to receive state financial aid.
  - In 2011, the Illinois DREAM Act, SB 2185 (not to be confused with the federally proposed DREAM Act), established the DREAM Fund Commission to administer privately funded scholarships to “children of immigrants.” The Commission, appointed by the governor with advice and consent of the Illinois Senate, raises and administers money for the DREAM Fund. Qualifications for eligibility for DREAM Funds include:
    - Resided with parent/guardian while attending school in Illinois.
    - Attended school in Illinois for at least three years.
    - Graduated from high school or received GED in Illinois.

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4 Updated June 2012
- Have at least one parent who immigrated to the U.S.
- The Nevada system of higher education does not consider immigration status for in-state tuition but does require it for a state-sponsored scholarship.
- None of the “New South” states (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia) offer in-state tuition to undocumented students. These states actually have relatively unfriendly legal environments.
  - In May 2008, North Carolina reversed its November 2007 decision to allow its undocumented students to attend community colleges at out-of-state-rates. The policy was again reversed in September 2009 and is still in effect. Undocumented students may enroll in community colleges if they graduated from a U.S. high school, refuse any state or federal financial aid, and accept being dropped from a class if a student with legal status wants to be in it.
  - North Carolina’s UNC Policy Manual for undergraduates essentially states the same guidelines as North Carolina community colleges but does not state that a class seat has to be given to a student lawfully present in the U.S.
  - Alabama (public institutions), Georgia (selective institutions), and South Carolina (public institutions) prohibit enrollment of undocumented students at postsecondary institutions.

In the 2011 legislative session, at least twelve states (Arizona, Colorado, Connecticut, Florida Iowa, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, Oregon, and Rhode Island) introduced nineteen bills that would allow undocumented students to receive in-state tuition rates.
- Maryland’s law allowing in-state tuition passed in April 2011 (but a referendum to veto it will be on the November 2012 ballot):
  - Must have attended at least three years of high school in Maryland and parents must have paid state taxes in order to qualify for in-state tuition rates at a community college.
  - Must sign up with the Selective Service system and be labeled an out-of-state student to preserve slots for legal Maryland residents.
  - After completing two years at a community college, the student could transfer to a four-year institution and pay the in-state rate.
- Connecticut’s law, HB 6390, passed in May 2011:
  - Must attend and complete all four years of high school in Connecticut and sign an affidavit stating intent to seek citizenship.
- In September 2011, Rhode Island’s Board of Governors for Higher Education approved an in-state tuition policy effective the fall semester of 2012:
  - Must have attended an approved Rhode Island high school in the state for at least three years and graduated or received an equivalent degree (GED), and must continue to live in Rhode Island.
  - Must sign an affidavit stating (s)he is pursuing legal status or will once eligible.
- Colorado’s sixth attempt, Senate Bill 12-015, failed to pass in April 2012.
  - However, The Metropolitan State University of Denver offers a special rate to undocumented students effective the fall of 2012. Undocumented students pay 150 percent of the resident in-state tuition. For example, in-state residents pay $4,304.40, out-of-state residents pay $15,985.20, and undocumented students pay $7,157.04 at this university under this rate.
  - Must have attended for at least three years and graduated from a Colorado high school or received a GED in Colorado.
- Must provide a statement that (s)he is in good legal standing, other than the legal status, and is seeking or intend to seek lawful status when eligible.
- The Metropolitan State University of Denver has faced challenges in the state to its decision, so the policy could be changed in the near future.
- Also, various bills have been introduced in recent years, so there is still conflicting information regarding undocumented students’ college access and tuition in Colorado.

In the 2011 legislative session, at least thirteen states (Alabama, Arkansas, Arizona, Georgia, Indiana, Kentucky, Louisiana, Maryland, Montana, New Jersey, North Carolina, Tennessee, and Virginia) considered twenty-two bills that would ban undocumented students from receiving in-state tuition rates and/or from enrolling at public institutions. All bills failed to pass except:

- Indiana’s House Bill 1402 was enacted in May 2011.
  - Restricts public benefits, including postsecondary awards (scholarships, grants, and financial aid), and prevents resident tuition rates to undocumented students.
- Montana’s House Bill 638 to deny certain state-funded services, including access to public universities and in-state tuition, was approved by the Legislature in May 2011 to appear on the ballot as a referendum in November 2012.
- Alabama’s House Bill 56 was signed into law in June 2011.
  - After being challenged at the federal level, it prevents (among other things) “illegal aliens” from enrolling or attending postsecondary schools, from receiving in-state tuition, and from accessing financial aid.

Currently (in 2012), Alabama, Arizona, Georgia, Indiana, and South Carolina have laws to specifically bar in-state tuition to undocumented students.

- Arizona’s Proposition 300 passed by voters went into effect in December 2006 (after being vetoed by the governor), and it also made it illegal for undocumented students to receive state-funded financial aid.
- Georgia’s Senate Bill 492 in 2008 banned in-state tuition to undocumented students.
  - In October 2010, Georgia’s State Board of Regents passed new rules regulating the admission of undocumented students, citing concerns about space not being available for documented students.
    - Persons unlawfully present in the U.S. are not eligible for admission to any of the 35 University System institutions.
    - Any institution that has not admitted all academically qualified applicants in the two most recent years is not allowed to enroll undocumented students.
  - Shortly after the closed-door policy began, five professors at the University of Georgia started “Freedom University,” where courses are offered to undocumented students.
- South Carolina’s “Illegal Immigration Reform Act” in 2008 enacted House Bill 4400, which also states that undocumented immigrants are prohibited from attending public institutions of higher education or receiving state funded scholarships.

During the 2011 legislative session, California, Kansas, Nebraska, New York, Oklahoma, Texas, Washington, and Wisconsin introduced bills to repeal their existing laws that grant in-state tuition to undocumented students. All failed except:

- In July 2011, Wisconsin’s bill passed reversing its 2009 Residency Statute § 36.27 (2) (cr).
## IN-STATE TUITION POLICIES

<table>
<thead>
<tr>
<th>State &amp; Date Enacted</th>
<th>Bill Number</th>
<th>HS Yrs</th>
<th>Financial Aid Option</th>
<th>Additional Details Specified In Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Texas</strong> March 2002</td>
<td>HB 1403 amended to be SB 1528 (2005)</td>
<td>3</td>
<td>Yes</td>
<td>Graduate from TX HS or TX GED</td>
</tr>
<tr>
<td><strong>California</strong> Oct. 2001</td>
<td>AB 540; AB 130, 131(2011)</td>
<td>3</td>
<td>Yes</td>
<td>GED from adult schools does not count &amp; adult school does not count toward years of HS attendance</td>
</tr>
<tr>
<td><strong>Utah</strong> March 2002</td>
<td>HB 144</td>
<td>3</td>
<td>No</td>
<td>Graduate from UT HS or UT GED</td>
</tr>
<tr>
<td><strong>New York</strong> June 2002</td>
<td>SB 7784</td>
<td>2</td>
<td>No</td>
<td>Graduate from NY HS or NY GED; Apply within 5 yrs of diploma</td>
</tr>
<tr>
<td><strong>Washington</strong> May 2003</td>
<td>HB 1079</td>
<td>3</td>
<td>No</td>
<td>Full senior HS year in WA &amp; reside 3 yrs before diploma &amp; in WA after</td>
</tr>
<tr>
<td><strong>Oklahoma</strong> June 2003</td>
<td>HB 1559 (repealed); HB 1804 (2007)</td>
<td>2</td>
<td>No (HB 1804 repealed)</td>
<td>Graduate from OK HS; OK Board of Regents determine granting of in-state tuition rates</td>
</tr>
<tr>
<td><strong>Illinois</strong> May 2003</td>
<td>HB 0060</td>
<td>3</td>
<td>No</td>
<td>IL DREAM fund for financial aid; Graduate from IL HS or IL GED</td>
</tr>
<tr>
<td><strong>Kansas</strong> May 2004</td>
<td>SB 582</td>
<td>1</td>
<td>Yes</td>
<td>Graduate from NM HS or NM GED</td>
</tr>
<tr>
<td><strong>Nebraska</strong> April 2006</td>
<td>LB 239</td>
<td>3</td>
<td>No</td>
<td>Graduate from NB HS or NB GED</td>
</tr>
<tr>
<td><strong>Maryland</strong> April 2011</td>
<td>SB 167 crossfiled with HB 470</td>
<td>3</td>
<td>No</td>
<td>Proof of income taxes during 3 HS yrs and college; Apply no later than 3 yrs after HS graduation from MD HS; Community college before transfer</td>
</tr>
<tr>
<td><strong>Connecticut</strong> May 2011</td>
<td>SB 6390</td>
<td>4</td>
<td>No</td>
<td>Completed 4 yrs in a CT HS &amp; graduate “or the equivalent thereof”</td>
</tr>
<tr>
<td><strong>Rhode Island</strong> Sept. 2011</td>
<td>RI Board of Governors for Higher Edu.</td>
<td>3</td>
<td>No</td>
<td>Effective Sept. 2012; Diploma received in RI; Continue to live in RI</td>
</tr>
</tbody>
</table>

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6 Abbreviations: AB (Assembly Bill); HB (House Bill); LB (Legislative Bill); SB (Senate Bill); GED (General Education Diploma) HS (high school); yr (year)
7 These states have GED options, except for Oklahoma (GED option repealed with HB 1804) and Maryland (not included in 2011 decision).
8 These 13 states have laws, except RI (has a policy).
9 This chart only highlights main points in the bills; further details should be researched.